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**APR 28 2006** **AP7 Rec'd PCT/PTO** **28 APR 2006**

<b>FORM PTO-1390 (REV 5-93)</b>		<b>U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE</b>		<b>ATTORNEY DOCKET NO. 027927.00002</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>				<b>DATE: April 28, 2006</b>	
<b>INTERNATIONAL APPLICATION NO. PCT/IB2002/005554</b>				<b>INTERNATIONAL FILING DATE December 20, 2002</b>	
<b>INTERNATIONAL FILING DATE December 20, 2002</b>				<b>PRIORITY DATE CLAIMED November 29, 2002</b>	
<b>TITLE OF INVENTION: A PROCESS FOR THE PREPARATION OF SHELF STABLE FRUIT SPREAD WITH NO ADDED SUGAR</b>					
<b>APPLICANT(S) FOR DO/EO/US: Council of Scientific and Industrial Research, of INSDOC Building</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application into English [35 U.S.C. 371(c)(2)].           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li> <li>9. <input checked="" type="checkbox"/> An executed oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li> </ol>					
<b>Items 11 to 20 below concern other document(s) or information included:</b>					
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98; and PTO-1449 Form.</li> <li>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Two month extension of time form (PTO/SB/22)</li> </ol>					

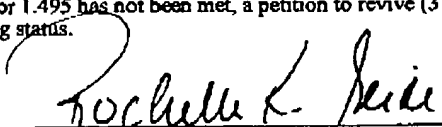
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U.S. APPLN. NO. (IF KNOWN, SEE 37 C.F.R. 1.50) 10/536,611		INTERNATIONAL APPLICATION NO. PCT/IB2002/005554		ATTORNEY DOCKET NO. 027927.00002	
The following fees are submitted:				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic National Fee		..... \$300.00		\$0.00	
22. <input checked="" type="checkbox"/> Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00 All other situations ..... \$200.00				\$0.00	
23. <input checked="" type="checkbox"/> Search Fee Search Fee (37 CFR 1.445(a)(2)) has been paid on the International Application to the USPTO as an International Searching Authority ..... \$100.00 International Search Report prepared and provided to the Office ..... \$400.00 All other situations ..... \$500.00				\$0.00	
TOTAL OF CALCULATIONS FOR 21, 22 and 23 =				\$0.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
- 100 =	/50 =		x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(e)].				\$130.00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	5 - 20 =	-0-	x \$ 50.00	\$0.00	
Independent Claims	1 - 3 =	-0-	x \$200.00	\$0.00	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Reduction by one-half for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 C.F.R. 1.9, 1.27, 1.28).				\$0.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later the <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date [37 C.F.R. 1.492(f)]. +				\$0.00	
TOTAL NATIONAL FEE =				\$130.00	
Fee for recording the enclosed assignment [37 C.F.R. 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property +				\$40.00	
TOTAL FEES ENCLOSED =				\$170.00	
				Amount to be refunded	\$ ---
				Charged	\$ ---
<p>a. <input type="checkbox"/> Check # _____ in the amount of \$ - to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my American Express Credit Card in the amount of \$170.00 to cover the above fee referring to docket no. 027927.00002. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-2300 referring to docket no. 027927.00002.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO: Customer No. 38485 Arent Fox PLLC 1675 Broadway New York, NY 10019 Tel: (212) 484-3945 Fax: (212) 484-3990</p> <p style="text-align: right;">               Rochelle K. Seide, Ph.D.              Reg. No. 32,300              RKS/msd           </p>					

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**Facsimile****Arent Fox**  
ATTORNEYS AT LAW

Date: April 28, 2006

Pages (including cover): 15

Attorney #: 2156

Client Matter #: 027927.00002

**Rochelle K. Seide, Ph.D.**

Member

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seide.rochelle@arentfox.com

**PLEASE DELIVER TO:**Name:  
Commissioner for Patents  
U.S. Patent and Trademark OfficeFax Number:  
(571) 273-8300U.S. Application No.:  
10/536,611  
Filed: May 25, 2005

Attorney Docket No.: 027927.00002 Group Art Unit: ---

Hard Copy Sent: No Examiner: ---

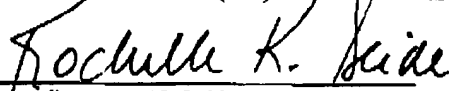
**Comments:**

We are forwarding herewith a Facsimile Transmittal Cover Sheet submitting:

- 1) 2<sup>nd</sup> Submission Transmittal Letter
- 2) Two Month Extension of Time (\$450.00)
- 3) Executed Declaration (\$130.00)
- 4) Recordation form Coversheet (\$40.00)
- 5) Executed Assignment
- 6) copy of Notification of Missing Requirements
- 7) Credit Card Payment form totaling \$620.00

In the Application of REKHA et al., for A PROCESS FOR THE PREPARATION OF SHELF STABLE FRUIT SPREAD WITH NO ADDED SUGAR

I hereby certify that this correspondence is being deposited in the U.S. Patent and Trademark Office via facsimile transmittal to (571) 273-8300 on this date.

Rochelle K. Seide  
Reg. No. 32,300April 28, 2006  
Date

PLEASE CALL OUR FAX OPERATOR AS SOON AS POSSIBLE IF TRANSMISSION IS NOT COMPLETE: 212.484.3988

This facsimile contains privileged and confidential information intended only for the use of the addressee(s) named above. If you are not the intended recipient of this facsimile, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please immediately notify us by telephone and return the original facsimile to us at the address below via the postal service.

Thank you  
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PTO/SB/82 (08-04)

Approved for use through 07/31/2008. OMB 0561-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**CERTIFICATE OF TRANSMISSION under 37 CFR 1.8**

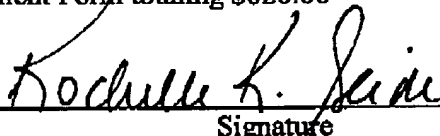
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at (571) 273-8300:

on April 28, 2006

Date

**Submitted for U.S. Patent Appln. No. 10/536,611:**

- 1) 2<sup>nd</sup> Submission Transmittal Letter
- 2) Two Month Extension of Time (\$450.00)
- 3) executed Declaration (\$130.00)
- 4) Recordation form Cover sheet (\$40.00)
- 5) executed Assignment
- 6) copy of Notification of Missing Requirements
- 7) Credit Card Payment Form totaling \$620.00



Signature

Rochelle K. Seide, Ph.D.

Typed or printed name of person signing Certificate

32,300

Registration Number

(212) 484-3945

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.**

NYC/272029.1



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/536,611	FIRST NAMED APPLICANT Mysore Narayan Rckha	ATTY. DOCKET NO. 026033-00032 027927.0000
INTERNATIONAL APPLICATION NO. PCT/IB02/05554		
I.A. FILING DATE 12/20/2002	PRIORITY DATE 11/29/2002	

38485  
ARENT FOX PLLC  
1675 BROADWAY  
NEW YORK, NY 10019

CONFIRMATION NO. 2254

371 FORMALITIES LETTER

OC000000017767957

Date Mailed: 01/05/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/25/2005
- Copy of the International Search Report filed on 05/25/2005
- Copy of IPE Report filed on 05/25/2005
- Copy of Annexes to the IPE filed on 05/25/2005
- Preliminary Amendments filed on 05/25/2005
- Oath or Declaration filed on 05/25/2005
- Request for Immediate Examination filed on 05/25/2005
- U.S. Basic National Fees filed on 05/25/2005
- Priority Documents filed on 05/25/2005
- Power of Attorney filed on 05/25/2005
- Specification filed on 05/25/2005
- Claims filed on 05/25/2005
- Abstracts filed on 05/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

OC000000017767957

- Oath or declaration of the Inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

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or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

Additionally the following defects have been observed:

- Annexes have not been entered because not a page per page substitution..

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/536,611	PCT/IB02/05554	026033.00032

FORM PCT/DO/EO/905 (371 Formalities Notice)

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